

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

RANDA HAMMADIEH,

Defendant.

12-M-2130

SPEEDY TRIAL ORDER

(August 31, 2012 through September 10, 2012)

By way of motion filed August 30, 2012, the government has requested an adjournment of the detention hearing previously set by this Court, until September 10, 2012. The Court granted the motion and accordingly adjourned the detention hearing until September 10, 2012. The Court shall exclude the time from and including August 31, 2012, through and including September 10, 2012, from the time within which the defendant must be indicted or otherwise charged in accordance with the Speedy Trial Act and Rule 5.1 of the Federal Rules of Criminal Procedure.

On August 24, 2012, the parties appeared before the Court for an initial appearance. Present were the defendant and his attorney, Marianne Mariano, FPD, appearing on behalf of John Humann, AFD. Present for the United States was Assistant United States Attorney Eric M. Opana.

The government moved for detention. The defendant requested a detention hearing and the Court scheduled a hearing for August 27, 2012. On August 27, 2012, the Court held a detention hearing and ordered the defendant undergo a forensic examination. The Court scheduled a continuance of the detention hearing for August 31, 2012. The parties have requested that the scheduled detention hearing be adjourned on the ground that an examination to determine the mental competency or physical capacity of the defendant may be completed.

On the basis of the representations of the parties, the Court adjourned the detention hearing to September 10, 2012. With the consent of counsel for the defendant, the Court further excluded the time in this action from and including August 31, 2012, to and including September 10, 2012, due to a delay in an examination to determine the mental competency of the defendant, pursuant to 18 U.S.C. § 3161(h)(1)(A).

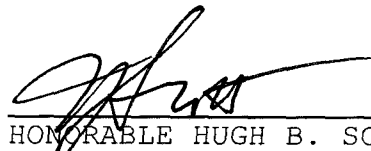
NOW, it is hereby

ORDERED, for the reasons set forth above that the scheduled detention hearing is hereby adjourned until September 10, 2012; and it is further

ORDERED, that the time in this action from and including August 31, 2012, to and including September 10, 2012, is properly excluded from the time within which the defendant should be indicted or otherwise charged, in accordance with the Speedy Trial Act, pursuant to Title 18, United States Code Section 3161(h)(1)(A), and Rule 5.1 of the Federal Rules of Criminal Procedure.

The Court further finds that as of September 10, 2012, 7 days of Speedy Trial Act time will have elapsed in this action and 21 days remain in the period within which defendant must be indicted

DATED: Buffalo, New York, August 31, 2012.



HONORABLE HUGH B. SCOTT
United States Magistrate Judge